

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Mayor's Agent for the Historic Landmark
and Historic District Protection Act

Public Hearing

1755 Newton Street, Northwest,
Bancroft Elementary School

10:31 a.m. to 10:55 a.m.

Friday, August 14, 2015

Office of Planning
1100 4th Street, SW, Suite E650
Washington, D.C. 20024

Appearances:

OLENDER REPORTING, INC.
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1 JUDGE PETER BYRNE, ESQ.,

2 Designated Mayor's Agent

3

4 For the Applicant:

5 STEPHEN KITTERMAN

6 MESFIN U. MEDHIN

7 DC Department of General Services

8 1250 u Street, NW

9 Washington, DC 20009

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11 JOHN GUZMAN

12 DC Public Schools/Bancroft Elementary

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16 CARRIE BARTON

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1 Appearances: (Cont'd)

2 RITSAART MARCELIS

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7 SCOTT STEWART

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1 P R O C E E D I N G S

2 MAYOR'S AGENT BYRNE: I have some
3 statements I need to make for the record just to
4 get started. I wish you all good morning. I'm
5 glad you're here.

6 I'm Peter Byrne, and I am designated as
7 the Mayor's Agent for this matter, which involves
8 a permit application to demolish the gymnasium of
9 Bancroft Elementary School at 1755 Newton Street,
10 Northwest, for the construction of additions to
11 the school. This application is assigned
12 Historic Preservation Number 15-439.

13 The case is being heard under the
14 authority of D.C. law 2-144 of the Historic
15 Landmark and Historic District Protection Act of
16 1978. This law requires the Mayor or his Agent
17 to review proposed subdivisions and permit
18 applications for demolition, alteration, and new
19 construction on the site of historic landmarks or
20 within historic districts.

21 Prior to consideration by the Mayor's
22 Agent, the law requires that applications be

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1 referred to the Historic Preservation Review
2 Board for its recommendations. On June 25th,
3 2015, the review board recommended against the
4 issuance of a building permit for the demolition
5 on the grounds that it would not be consistent
6 with the purposes of the Act. After the board
7 made its recommendation, the Applicant requested
8 this public hearing, as provided by law.

9 This hearing will be conducted in
10 conformance with the D.C. Administrative
11 Procedure Act and Title 10C, District of Columbia
12 Municipal Regulations, which contain the rules of
13 procedure for the Mayor's Agent pursuant to the
14 preservation law.

15 The order of proceedings and presentation
16 shall be as follows: We would normally have
17 consideration of any pending motions or
18 procedural matters, but I don't believe there are
19 any. We'll have the presentation of the
20 Applicant's case and reports or statements by
21 public agency representatives, any statements by
22 affected ANC's, parties or other persons in

1 support of the application, parties or other
2 persons in opposition to the application,
3 rebuttal by the Applicant and by parties in
4 support of the application; and surrebuttal by
5 parties in opposition to the application.

6 So, welcome. And perhaps you'd introduce
7 yourselves and what your positions are. And
8 those of you who are going to speak, let me know
9 that.

10 MR. KITTERMAN: Okay. Stephen Kitterman,
11 DGS. I'm the project manager for this project
12 and several other school modernization projects,
13 representing DGS, the Applicant. I'll be
14 speaking.

15 MAYOR'S AGENT BYRNE: Okay. Great.
16 Good. Thank you.

17 MR. MEDHIN: Mesfin Medhin, DGS. I'm the
18 project manager also for this project.

19 MAYOR'S AGENT BYRNE: Okay.

20 MR. GUZMAN: My name is John Guzman. I
21 work at Bancroft Elementary School as the
22 Assistant of School Operations. And I will not

1 be speaking.

2 MAYOR'S AGENT BYRNE: Okay. Thank you.

3 MS. BARTON: Carrie Barton with Preserve-
4 Scapes. And we are the historic preservation
5 consultants for the project.

6 MAYOR'S AGENT BYRNE: Great.

7 MR. MARCELIS: I'm Ritsaart Marcelis.
8 I'm with Fielding Nair International. And we're
9 the education planner and designer for this
10 project.

11 MAYOR'S AGENT BYRNE: Okay. Thank you.

12 MR. STEWART: I'm Scott Stewart,
13 Principal of SKA Structural Engineers. We're the
14 structural engineers on the project, and I will
15 be speaking.

16 MAYOR'S AGENT BYRNE: Okay. Thank you.

17 MR. HENSLEY: Tony Hensley with Ayers
18 Saint Gross. We're the architects on the
19 project.

20 MAYOR'S AGENT BYRNE: Okay. Very good.
21 Very good. Well, good. Glad to have you all
22 here. And you may proceed.

1 MR. KITTERMAN: Okay. Thank you.

2 My name is Stephen Kitterman, the Project
3 Manager for George Bancroft Elementary School
4 Modernization Project. And I'm representing the
5 D.C. Department of General Services, the
6 Applicant in this case.

7 DGS is undergoing the modernization and
8 the expansion of Bancroft Elementary School,
9 which is located at 1755 Newton Street,
10 Northwest, in Mount Pleasant neighborhood. The
11 purpose of this project is to address several
12 operational challenges that are presented by the
13 existing facilities and provide a modern, twenty-
14 first century learning environment for the 550
15 students that attend Bancroft Elementary School.

16 The current Bancroft campus consists of
17 five adjoining buildings constructed between 1923
18 and 1973. These buildings consist of various
19 misaligned levels and present a number of
20 challenges including under-sized spaces, a lack
21 of accessibility, and numerous deficiencies
22 related to contemporary standards for elementary

1 school education.

2 The project seeks to address these
3 problems and allow the existing historic building
4 to continue to serve as a public school for this
5 community. The project also seeks to improve the
6 energy, environmental, and environmental
7 efficiency of the school, and we'll be pursuing
8 legal certification. To achieve these
9 objectives, we retained a talented team of design
10 professionals, led by Ayers Saint Gross and
11 Fielding Nair International.

12 Since the beginning of this project, DGS
13 and our design team have been working closely
14 with many individuals and groups who have a great
15 stake in the modernization and improvement of
16 this important public resource. Much of this
17 consultation is with the project's SIT team, or
18 School Improvement Team, which consists of the
19 school leadership, teachers, parents, and
20 community members.

21 We have also consulted with the ANC's,
22 Historic Mount Pleasant, and other community

1 groups who are interested in this project. To
2 date, we have received no objections from the SIT
3 team or the community in response to the matter
4 in question today, and all stakeholders have been
5 in full support of the proposed design solution,
6 which entails demolition of the 1938 addition to
7 the historic school buildings.

8 The solution helps us address many of the
9 critical deficiencies of the existing buildings.
10 Although we have studied several alternatives to
11 demolition, the benefits that this demolition
12 allows are critical to achieving the overall
13 objectives of this project. Based on these
14 benefits to the community services, DGS seeks the
15 determination from the Mayor's Agent that this is
16 a project of special merit.

17 The project is currently in the design-
18 development stage. We have received concept-
19 level approval from the Commission of Fine Arts,
20 and, as you know, we have presented to the
21 concept to the HPRB, which determined that the
22 demolition of the 1938 wing is inconsistent with

1 the purposes of the Preservation Act.

2 At this point, I want to turn it over to
3 my team to discuss the challenges, solutions, and
4 special merits of this case.

5 MAYOR'S AGENT BYRNE: Thank you. Very
6 good.

7 MR. HENSLEY: When the design team
8 started its study of Bancroft Elementary School,
9 it was a priority to highlight the contributing
10 historic fabric of the campus and to focus on the
11 existing historic building, to work for the
12 educational specifications, and to deal with the
13 handicapped accessibility issues with minimum
14 alterations to the building.

15 When you enter the main doors of this
16 school, the primary challenge in the
17 modernization is revealed. Currently, there is
18 only one handicapped-accessible room once you
19 pass through the threshold of the main entry, and
20 it's the multi-purpose room in the 1938 addition.
21 In order to access the learning community in the
22 1932 building, one would have to ascend a five-

1 foot stair, and in order to access the
2 administration offices, one would have to descend
3 a five-foot stair or go back outside and reenter
4 on the corner of 18th Street and Newton, which is
5 still one stair up.

6 Currently, there are between 16 and 20
7 elevation changes over the entire campus. It's
8 actually easier to go outside to the sidewalk to
9 access many points. Any student, faculty member,
10 or visitor with mobility issues at Bancroft
11 cannot go beyond the multi-purpose room or select
12 points along the rear of the building, which is
13 accessed from the exterior, none of which are the
14 primary learning areas.

15 Because of the unique way the second
16 floor and the '23 and '32 buildings overlap each
17 other, the 1938 building addition contains the
18 only location where a new stair and elevator port
19 can be located to access the upper floors without
20 causing major alterations to the '23 and '32
21 buildings.

22 Another challenge we noted is the 1938

1 addition does not fully support the current needs
2 of the 490 students, plus the 60-to-70-person
3 faculty. It is under-sized for a gym facility
4 for the school's current enrollment and,
5 additionally, is not suited to accommodate the
6 entire student and faculty as an assembly space,
7 especially with the anticipated school growth to
8 a maximum of 550.

9 In looking at alternative solutions that
10 utilize the structure or adapt the 1938 addition,
11 it became evident there are structural conditions
12 of the 1938 addition that may present its own
13 potential challenges. The design team structural
14 engineers will address their observations and
15 provide an outline of those additional
16 challenges.

17 I'll turn the presentation over to
18 Ritsaart.

19 MAYOR'S AGENT BYRNE: Can I just ask,
20 what's the current enrollment of the school?

21 MR. KITTERMAN: He said 490.

22 MAYOR'S AGENT BYRNE: Four-ninety now,

1 and you want to bring it to five-fifty?

2 MR. HENSLEY: We're designing for
3 capacity of 550.

4 MR. GUZMAN: Actually, the current
5 enrollment is 512 right now.

6 MAYOR'S AGENT BYRNE: Oh, okay.

7 MR. GUZMAN: As of today.

8 MR. HENSLEY: Projected.

9 (Cross-talk.)

10 MR. GUZMAN: As of right now, it's 512.

11 MAYOR'S AGENT BYRNE: Great. Okay.

12 Thank you.

13 Proceed.

14 MR. MARCELIS: During our design process,
15 it became evident that the programmatic
16 requirements of the modernization and the
17 configuration of the site necessitate a large
18 addition being built to the north of the existing
19 historic buildings.

20 We studied two options for how to join
21 this addition to the existing building. One
22 option proposed demolition of the 1938 addition

1 to create a direct and clear path from the
2 existing main lobby to the new part of the
3 school, while the other option proposed keeping
4 the 1938 addition and routing the main
5 circulation path around it.

6 After reviewing these two options, the
7 Office of Historic Preservation asked us to
8 investigate additional methods to keep and-or
9 reuse the 1938 addition. We investigated a total
10 of four options. As we submitted these as part
11 of the prehearing statement, we're not going to
12 read you them in detail. Each option was
13 assessed based on a set of criteria meant to
14 evaluate how well that particular option dealt
15 with aspects of circulation, program,
16 construction, and preservation.

17 In evaluating these four proposals
18 against each other and the original, it became
19 clear that any option retaining the 1938 addition
20 would require substantial changes to both the
21 1938 addition itself, as well as the 1923
22 building, and would thus further damage the

1 historic quality of these assets.

2 It was also clear that all options
3 keeping the addition prevented the creation of
4 one clear accessible route, creating a less-
5 desirable secondary path of circulation for
6 people with disabilities. These options also
7 suffer from the structural questions and
8 programmatic deficiencies described earlier.

9 As a result of this investigation, our
10 original proposal to demolish the addition was
11 considered the best option, since it created one
12 clear and accessible main circulation route for
13 all students; it allowed for the creation of
14 optimal program spaces for the school; it
15 presented the fewest construction concerns; and
16 because it allowed the addition to only touch the
17 existing 1932 building with a connection to the
18 main lobby, leaving all historic facades intact.

19 Our design takes advantage of the sloping
20 nature of the site to locate the new addition to
21 sit below the roof lines of the existing 1923 and
22 1932 wings of the school. This means that one

1 does not see the addition at all from Newton
2 Street, allowing the existing historic buildings
3 to remain the dominant character-giving
4 structures on the site.

5 We further propose to restore the
6 exterior of these existing buildings with new,
7 historically appropriate windows and doors, by
8 removing mechanical and electrical equipment from
9 the facades, by reopening the arcade at the
10 courtyard of the 1923 building, and by
11 rehabilitating the courtyard facade of the 1923
12 building where its character has been seriously
13 marred by a later bathroom addition with a large
14 mechanical system which punctures and obscures
15 the elevation of the building.

16 We have also used the proportions, design
17 modules, and details of the existing building to
18 form the design of our facades in our addition,
19 allowing the new addition to sit harmoniously
20 within the historic context.

21 And I'll turn it over to Scott.

22 MAYOR'S AGENT BYRNE: I, of course, want

1 to hear that. But before, I just want a
2 question, which is -- so, just I think what was
3 implicit in your statement, but I'd like to make
4 explicit, that in your judgment, the most
5 significant historic assets are those in the 1923
6 building and the 1932 building, which are
7 actually on Newton Street, whereas the 1938
8 gymnasium is in the rear and is not visible
9 unless you come around the back?

10 So that in terms of the relative
11 significance of the different historic pieces of
12 the building, that that is perhaps the least
13 significant? Is that a fair inference from what
14 you are saying?

15 MR. MARCELIS: That's correct.

16 MAYOR'S AGENT BYRNE: Thank you.

17 MR. KITTERMAN: It's also of a different
18 design. It's not the Spanish colonial.

19 MAYOR'S AGENT BYRNE: Yeah. It's quite
20 sort of rectangular, and it's tripped down.

21 MR. KITTERMAN: Right.

22 MAYOR'S AGENT BYRNE: Yeah.

1 MR. KITTERMAN: Interior and exterior.

2 MAYOR'S AGENT BYRNE: Interior and
3 exterior?

4 MR. KITTERMAN: Right.

5 MS. BARTON: And I can speak more to
6 that?

7 MAYOR'S AGENT BYRNE: Are you? Okay.
8 Excellent. Okay, good. Thank you.

9 All right. Proceed.

10 MR. STEWART: From a structural
11 perspective, as much as you just alluded to the
12 existing building as a relatively rectangular
13 masonry box, conventional construction methods
14 and materials, cast-in-place construction floor
15 framing, and exterior masonry bearing walls with
16 steel roof trusses, the building is founded on
17 isolated and continuous-spread footings.

18 Based on a review of the drawings, the
19 foundations located on the west side of the
20 building are much larger. And there was
21 definitely test fits done at the time. They
22 indicate that they found poor-quality soils in

1 those areas.

2 The existing building exhibits extensive
3 diagonal and vertical cracking on that side, on
4 the northwest corner of the box. The diagonal
5 cracking is consistent with settlement of the
6 existing building, which we suspect is
7 consolidation of those poor soil materials I
8 identified during construction. And those cracks
9 have been pointed and passed at this point.
10 However, they may reopen in the future, and-or
11 additional cracks may occur as further
12 consolidation happens in that area.

13 The vertical cracking, we believe, could
14 be the result of a lack of relief joints in the
15 building. This often can cause bulging in the
16 building, but in thicker wall construction it
17 would exhibit in vertical cracking.

18 In our opinion, to stabilize the
19 building, there would be much more investigation
20 to be undertaken to really understand the full
21 extent of the repairs and the costs associated
22 with those repairs to implement that, or at a

1 minimum, we would look at the geo-technical
2 investigation, the underlying soils, their
3 analysis of the existing foundation construction,
4 and continued monitoring of the wall movement and
5 crack monitors.

6 That's further compounded with the
7 introduction of an addition immediately adjacent
8 to and-or below that construction. There would
9 be further remediation costs we would anticipate,
10 in particular associated with a large dimension
11 of the existing foundations that we find in that
12 area. And it would be highly likely that there
13 would be pile construction introduced to
14 stabilize the building -- bracket piles, helical
15 piles -- where otherwise, to extend this
16 foundation down below the elevations of the new
17 construction and to mitigate further settlement
18 and cracking of that structure.

19 MAYOR'S AGENT BYRNE: Um-hm. So, do you
20 anticipate problems in stabilizing the
21 foundations for the new construction that will go
22 in, based on the soils?

1 MR. STEWART: The new construction is
2 anticipated to be deep foundations, a pile
3 system, because of exactly what we're seeing.

4 MAYOR'S AGENT BYRNE: Yes.

5 MR. STEWART: And those load materials,
6 and then similar characteristics across the
7 balance of the site.

8 MAYOR'S AGENT BYRNE: Okay. Thank you.

9 (Pause.)

10 MAYOR'S AGENT BYRNE: I would ask you all
11 to state your name and just repeat what your role
12 is before you testify. And speak up a little.

13 (Laughter.)

14 MAYOR'S AGENT BYRNE: Good. Please.

15 MS. BARTON: My name is Carrie Barton.

16 And I am a Preservative Specialist with Preserve-
17 Scapes.

18 I'm going to focus on the historic
19 integrity and significance issues, as well as the
20 preservation aspects of the case for special
21 merit.

22 MAYOR'S AGENT BYRNE: Great.

1 MS. BARTON: As stated in the
2 Preservation Act, projects can claim special
3 merit based on having a high priority for
4 community services. In the case of the Bancroft
5 Elementary School modernization, these benefits
6 include the continued service of the existing
7 building as a public school and as an important
8 community resource for the Mount Pleasant
9 neighborhood.

10 In addition to this being a community
11 benefit, the continued service of the building
12 for its historic use as a public school is also a
13 benefit to preservation and is consistent with
14 the Secretary of the Interior's standards.

15 But for the building to continue as a
16 public school, we must find solutions to the
17 problems that threaten its service life, as
18 previously discussed in detail by DGS and the
19 design team.

20 It is clear that the demolition of the
21 1938 addition is most directly the result of the
22 need to resolve the aforementioned accessibility

1 and circulation deficiencies of the existing
2 building. This is because the rear wing is the
3 only part of the building located on the same
4 grade as the historic main entrance to the
5 school, which makes this a critical location for
6 the junction between new and old construction.

7 Accommodating this junction at any other
8 location would result in two undesirable
9 outcomes: one, substantial and extensive
10 alterations to the 1923 and 1932 portions of the
11 building; and two, the lack of accommodation of
12 accessibility through the primary circulation
13 path from the main entrance.

14 The design team has thoroughly
15 demonstrated its efforts to develop alternatives
16 that do not require the full demolition of the
17 1938 addition and has worked with the staff of
18 the Historic Preservation Office and the
19 Commission of Fine Arts to evaluate these
20 alternatives.

21 The collective conclusion from these
22 studies is twofold: that the adverse effects of

1 the demolition are outweighed by the benefits of
2 allowing the existing building to meet the needs
3 of a public school; and that the diminishment of
4 the historic integrity of the 1938 addition is
5 inevitable in order to address the stated
6 deficiencies, whereas the diminishment of the
7 integrity of the older, more character-defining
8 portions of the building is avoidable.

9 To the latter point, the demolition of
10 the 1938 addition also allows for more complete
11 preservation of both the interior and the
12 exterior of the 1923 and 1932 phases of
13 construction. Our team conducted a comprehensive
14 historic resources survey of the building at the
15 very beginning of this project, evaluating the
16 historic character and integrity of the resource
17 as a whole, as well as its individual features.

18 While the 1938 addition dates within the
19 period of significance of the relevant historic
20 district, the assessment concludes that it is
21 secondary to these earlier phases of construction
22 and its contribution to the historic character of

1 that district.

2 As opposed to the 1923 and 1932
3 buildings, the 1938 wing was designed as a simple
4 brick box with minimal articulation, which
5 reflects both the functions that it housed, as
6 well as its role as a rear addition, with minimal
7 visibility from the public street.

8 Since its original construction, the
9 addition's windows and doors have been replaced,
10 leaving only the brick envelope to comprise its
11 exterior historic character.

12 As illustrated by both the architects and
13 engineers, this remaining exterior of historic
14 fabric is potentially threatened by the
15 alterations that may be necessary for structural
16 remediation and-or by the accommodation of the
17 new addition.

18 While our historic resource survey showed
19 that much of the interior fabric of the 1938 wing
20 does remain intact, this, too, would be
21 substantially affected by any attempt to
22 accommodate a direct and accessible route from

1 the main entrance to the new construction.

2 So, with the consideration of the 1938
3 wing's lesser contribution to the historic
4 character of the resource, and both the previous
5 and inevitable future diminishment of the wing's
6 historic integrity, we determined that the
7 preservation of the 1923 and 1932 phases of
8 construction is a priority and the preservation
9 of the historic resource within the context of
10 the Mount Pleasant Historic District.

11 While demolition has been determined to
12 be inconsistent with the Act, the removal of the
13 1938 addition in this case does allow for
14 preservation-related mitigation that would
15 otherwise not be possible, including a single,
16 isolated, and distinct intersection between the
17 new and existing building; the complete
18 preservation of all exterior elevations of the
19 1923 and 1932 buildings; a more complete
20 preservation of the historic interior corridors;
21 and the restoration of the 1932 historic lobby as
22 the main entrance to the school.

1 In conclusion, the historic resources
2 survey, the study of design alternatives, and the
3 evaluation of historic character and integrity
4 collectively support the conclusion that the
5 demolition of the 1938 addition is balanced by
6 the special merit of this project and the
7 improvements that will allow this historic
8 building to continue to serve its community.

9 MAYOR'S AGENT BYRNE: Thank you. That's
10 very helpful.

11 All right. I think that then concludes
12 the Applicant's presentation.

13 Mr. Lewis, do you have anything you want
14 to add?

15 MR. LEWIS: Sure. My name is Andrew
16 Lewis. I'm with the Historic Preservation
17 Office.

18 I think most of the pertinent points have
19 already been made. But I did want to just
20 reiterate a few things that -- we did consider
21 the building historically significant because it
22 did fall within the period of significance for

1 the Mount Pleasant Historic District. It retains
2 its integrity.

3 And when compared to other schools, we're
4 trying to be consistent. As Mr. Kitterman knows,
5 we have evaluated lots of similar facilities
6 throughout the District and have consistently
7 maintained that these buildings, even though they
8 sometimes are relatively simple, do contribute to
9 the significance of the school.

10 But we appreciated that the design team
11 did develop, per our request, a number of
12 alternatives to evaluate whether or not it would
13 be possible to retain all or portions of the gym.
14 Unfortunately, all of those scenarios either
15 compromise the integrity of the resource itself
16 or led to designs that did not meet the
17 critically important ADA issues that have been
18 identified here in some of the earlier comments.

19 So, for that reason, staff reports
20 actually recommended that demolition of the gym
21 was the most logical course of action. The
22 Historic Preservation Review Board did agree to

1 that. And as has been noted, there has been no
2 opposition from any ANC or -- in fact, there's
3 been support for the proposal.

4 MAYOR'S AGENT BYRNE: Yes.

5 MR. LEWIS: So that sort of summarizes
6 our views on it.

7 MAYOR'S AGENT BYRNE: Okay. Thank you.

8 Has the HPRB passed on the design of the
9 new construction as being consistent with the
10 historic district?

11 MR. LEWIS: Yes, they did. They did
12 provide a few comments, which we summarized in
13 the summary of the board comments, which we
14 provided to DGS.

15 MAYOR'S AGENT BYRNE: Right.

16 MR. LEWIS: But they did delegate the
17 design refinement to staff.

18 MAYOR'S AGENT BYRNE: It's at that level?

19 MR. LEWIS: It's at that level now,
20 assuming special merit was met.

21 MAYOR'S AGENT BYRNE: Right. Right,
22 right. Okay. Good.

1 So then, I have here in the record, I
2 have the ANC's statement and vote of support of
3 the project. And so, that's good. And statement
4 of support from Historic Mount Pleasant.

5 So, I think that's all we have. Right?
6 Nobody is here to oppose it. And so, I mean, I
7 think, you know, I'm certainly going to find this
8 to be a project of special merit in which the
9 special merit outweighs the loss of historic
10 structures. In my mind, this is sort of an
11 easier case, in some sense, than the Duke
12 Ellington High School case, which the Mayor's
13 Agent decided two years ago now.

14 And I appreciate the fact that DGS did
15 look at all these alternatives and did a weighing
16 of what would have the least impact on the
17 overall historic values of the site, because that
18 makes it so much easier for me to find that the
19 demolition is necessary to construct the project
20 of special merit, because that's what the Court
21 of Appeals have said the Mayor's Agent has to
22 consider is whether there has been a thorough

1 consideration of alternatives.

2 So, it will take me a little while to
3 issue a written decision and order in this case,
4 but you can be assured that it will be favorable.

5 Great project.

6 (Chorus of "Thank you.")

7 MAYOR'S AGENT BYRNE: Yes. Thank you.
8 They should all be so easy.

9 (Laughter.)

10 (Whereupon, at 10:55 a.m., the
11 proceedings concluded.)

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